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# New York Estate Planning Checklist

MILLER & MILLER LAW GROUP PLLC

**B**enjamin Franklin once said, “by failing to prepare, you are preparing to fail.” By implementing a well thought out estate plan, you can ensure your family is protected, you have the proper people making decisions for you in the event of your incapacity, and that your property goes to your loved ones at your passing.

At Miller & Miller Law Group PLLC, we can help you build an estate plan fit to your needs. We make comprehensive and customized estate planning easier for you, so you can have the peace of mind that you deserve.

Use this checklist to get started and see what a proper estate plan will look like for you.



## Here are the primary things you should consider when drafting your estate plan:

### 1. Decide which estate planning documents are right for you.

Do you need a Last Will and Testament?

This type of document details:

- What will happen to your assets upon your death?
- Who will take care of minor children?
- What happens to your remains?

Do you want to avoid Surrogates Court?

- Create a trust instead of a Last Will and Testament to avoid Surrogates Court fees, attorneys fees, and delays in the administration of your estate

Do you need a trust?

This type of document details:

- A contract between you (the Grantor) and the Trustee (in some instances you can be Trustee, in other instances it must be another person)
- This type of document can lead to avoiding probate in New York and avoid probate in other States.

Which type of trust do you want? Revocable or irrevocable trust?

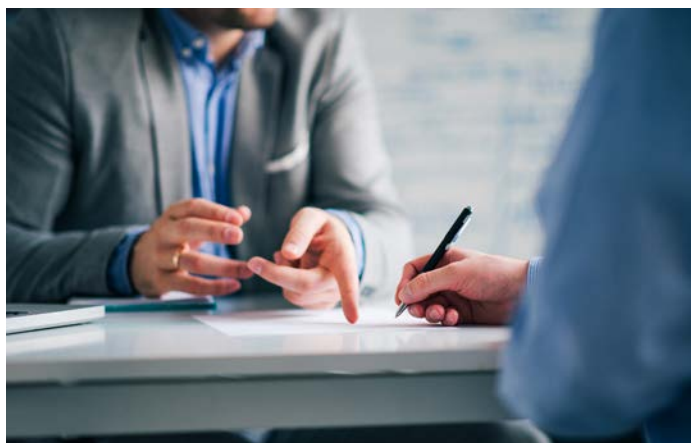
Each type of trust serves a particular purpose and advantages, depending on your situation.

- Revocable Trust

This type of document can be modified after the document is created.

- Irrevocable Trust

This type of document cannot be modified after creation, or at least it isn't easy to modify.



## 2. Choose your beneficiaries.

Who will inherit your property after death?

- Family member
- Close friends or loved ones
- Charity



## 3. Determine who will take care of your minor children.

Do you know who will be your minor's guardian?

- The New York court ultimately determines this decision, but more significant consideration is given to whom you elect for guardianship.

Questions to ask yourself when selecting a future guardian.

- Who does the minor already have a relationship with?
- Does the potential guardian have a similar parenting style to yours?
- Does the potential guardian have other minor children?
- Do you have religious concerns or preferences?
- Would your minor child have to relocate far away?
- Would the minor child still have access to other family members?

## 4. Decide how you want your remains handled.

How will your remains be disposed of?

- Cremation
- Burial
- Other

What other instructions do you want for your funeral arrangements?

- Where do you want to be buried?
- Where do you want your ashes to remain?
- What do you want your funeral to look like?

## 5. Set your Powers of Attorney, Healthcare Proxy, and Living Will in place.

Do you have documents to plan for your incapacity?

- Who is your Financial Power of Attorney?  
This person will handle your financial matters if you are unable to do so.
- Who is your Healthcare Proxy?  
This person will handle your healthcare decisions if you become incapacitated.

What is the outcome of not having these documents in your estate plan?

- Without establishing these documents, your loved ones would have to go through a court process to appoint someone to these roles. This process can be time-consuming and costly for your loved ones.



## 6. Ensure you have proper asset ownership and beneficiary designations in your estate plan.

How are your assets titled?

- Sole ownership
- Joint tenancy
- Tenancy in common
- Tenants by the Entirety (owned together by spouses)

## 7. Consider your insurance options.

Are insurance documents part of your estate plan? Insurance Options:

- Disability insurance
- Long-term insurance
- Life insurance

## 8. Draft instructions for your Executor/Trustee.

What information should you include in your instructions?

- List of assets
- Logins and passwords
- Personal artifacts to specific loved ones



How we work with you to create a customized and complete estate plan to give you peace of mind?

You are unique, and so is your family. Your estate plans should be unique, as well. Miller & Miller Law Group PLLC will customize estate plans that address your family needs and achieve peace of mind for you and security for your family.

We are located in Brooklyn, NY, and serve the greater New York City metropolitan area. We welcome you to contact us today to learn more about how Miller & Miller Law Group can help with your planning needs or schedule a 1 Hour Estate Planning Strategy session.

**SCHEDULE YOUR ESTATE PLANNING STRATEGY SESSION NOW!**



# YOUR ESTATE PLANNING ROADMAP TO PEACE OF MIND

## What to bring:

- All financial documents
- Prior estate planning documents
- Completed strategy form

Please allow 7-10 business days for your estate plan to be completed. We will email your documents to review along with a link to schedule your signing.

We will provide witnesses for your signing. You will leave with your estate plan, a digital copy of your estate plan, along with information on how and where to safeguard your documents.

Congratulations on taking the first step towards planning for your future!

You received your meeting confirmation, email with video, and link to our strategy form in preparation for our meeting.

Strategy Meeting

Retain Miller & Miller Law Group to draft and estate plan that will give you piece of mind.

We encourage you to fill you the strategy form so we can review prior to our meeting. This information will help us make the most of your time with Daniel Miller, Esq.

Before we begin drafting your estate plan, we can discuss who would be appropriate for each role in your estate plan.

Draft your estate planning documents & schedule signing date.

Review and Discuss

Questions or changes? No worries! We want to be sure your estate plan meets your wishes. Use the link in your email or call the office to schedule a follow-up.

Signing